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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA

No. 09-0347 MHP

v.

STIPULATION AND ~~[PROPOSED]~~
ORDER DOCUMENTING WAIVER

HIEU NGUYEN,

Defendant.

On August 17, 2009, defendant Hieu Nguyen, appeared with his counsel, Paul Puri, Esq., before the Honorable Marilyn H. Patel for a status conference. At that conference, the Court set a briefing schedule for motions to be filed by the defendant. Specifically, the Court ordered the defendant to file motions by October 26, 2009, the Government to respond by November 9, 2009, and the defendant to reply by November 16, 2009. If an evidentiary hearing is necessary, it will be scheduled for November 20, 2009. With the agreement of the parties and with the consent of the defendant, the Court enters this order confirming the exclusion of time under the

Speedy Trial Act from August 17, 2009 through October 26, 2009. The parties agree and stipulate, and the Court finds and holds, as follows:

1. On August 17, 2009, defendant Hieu Nguyen, appeared with his counsel, Paul Puri, Esq., before the Honorable Marilyn H. Patel for a status conference. At that conference, the Court ordered that the defendant file motions by October 26, 2009. The parties requested, and the Court ordered, the exclusion of time under the Speedy Trial Act from August 17, 2009 to October 26, 2009, to allow counsel to file motions, which would ensure the effective preparation of counsel.

2. Accordingly, the Court finds that the ends of justice served by excluding the period from August 17, 2009 to October 26, 2009 from Speedy Trial Act calculations outweighs the interests of the public and the defendant to a speedy trial, by ensuring the effective preparation of counsel, in accordance with 18 U.S.C. § 3161(h)(7)(A) and (B).

STIPULATED:

DATED: August 17, 2009

/s/

PAUL PURI, ESQ.
Attorney for HIEU NGUYEN

DATED: August 17, 2009

/s/

CHRISTINE Y. WONG
Assistant United States Attorney

IT IS SO ORDERED.

August 18, 2009
DATED: ~~April~~ _____, 2009

